

ways to solve old problems and address rising challenges. FEMA needs to be prepared to utilize this technology as it becomes more available to us.

This amendment makes sense. It will ensure that FEMA has the highest quality information when it works to determine the level of risk for vulnerable geographies. This language would not impose any additional financial burdens on FEMA.

As a member of the Science Committee, I made it one of my priorities to find ways to integrate emerging technologies into complex policy initiatives.

Mr. Chairman, I ask my colleagues to support my amendment.

Mr. OXLEY. Mr. Chairman, will the gentlewoman yield?

Ms. MATSUI. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, the Chair is prepared to accept the amendment. I want to thank the gentlewoman for her foresight and also for merging this new technology with the ability of FEMA to make better and more accurate mapping.

Ms. MATSUI. Mr. Chairman, reclaiming my time, I thank the gentleman very much for supporting my amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109-530.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 24, after line 6 insert the following new paragraph:

“(5) EDUCATION PROGRAM.—The Director shall, after each update to a flood insurance program rate map, in consultation with the chief executive officer of each community affected by the update, conduct a program to educate each such community about the update to the flood insurance program rate map and the effects of the update.”.

Page 24, line 7, redesignate paragraph (5) as paragraph (6).

Page 24, line 18, redesignate paragraph (6) as paragraph (7).

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, last year, our Nation was devastated with a series of natural disasters that negatively im-

pacted our economic and social structures. The South especially incurred severe flood damage to their infrastructure and local communities. The floods varied from severe, slow and fast rising but were consistent in destroying people's homes and businesses.

This past hurricane season brought forth a series of catastrophes that devastated southern communities, injuring people's livelihoods and souls. The wave of destruction was insurmountable to none ever experienced.

The amendment that I have, Mr. Chairman, is to amend the Act simply to indicate the responsibility we feel that FEMA has to reach out and educate our communities.

FEMA uses the information produced by the flood insurance studies to prepare a flood insurance rate map that depicts the spatial extent of special flood hazard areas and our thematic features related to flood risk assessment.

The rate map is the basis for floodplain management, mitigation and insurance activities of the insurance program. As a result, flood risks have been assessed at approximately 20,400 communities nationwide.

As it stands, FEMA currently has a regulatory function that calls for communities to implement local outreach. However, no such function exists to mitigate any outreach responsibility on FEMA. Neither the code nor the regulations require FEMA to proactively implement outreach programs to educate local landowners.

In response to this oversight, I offer this amendment that requires FEMA to conduct educational programs to better inform local communities of changes made in the flood insurance map.

Currently, H.R. 4973, the Flood Insurance Reform and Modernization Act of 2006, lacks a mandate that calls for FEMA to implement the initiatives necessary to reach out to local communities and educate property owners who are affected by the map update. Many homeowners do not know about changes in the map. The only thing they know is that, after they have suffered a severe flood, they are not covered.

I think this amendment is a necessary step to ensure that FEMA is made responsible to make the vital information available to everyone who might be a flood victim. I believe that this is a necessary step to protect the lives of innocent people who have no choice but to rely on this congressional body to implement necessary safeguards that protects their well-being.

I urge adoption of this amendment.

Mr. OXLEY. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, we have reviewed the amendment and are prepared to accept it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman very much.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

Mr. OXLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. MILLER of Michigan) having assumed the chair, Mr. BONILLA, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4973) to restore the financial solvency of the national flood insurance program, and for other purposes, had come to no resolution thereon.

#### PERMISSION TO OFFER AMENDMENT NO. 5 OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 4973, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2006

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that, during further consideration of H.R. 4973 pursuant to H. Res. 891, I may offer amendment No. 5 out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

#### FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 891 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4973.

□ 1511

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4973) to restore the financial solvency of the national flood insurance program, and for other purposes, with Mr. BONILLA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 8 printed in House Report 109-530 offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) had been disposed of.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 109-530.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. JACKSON-LEE of Texas:

Page 5, line 24, strike "and".

Page 6, line 4, strike the period and insert "; and".

Page 6, after line 4, insert the following:

(E) the extent to which eligibility standards for pre-FIRM properties were inconsistent and resulted in disparities in coverage among such properties.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman very much. I thank the Speaker, and I thank this extraordinary effort on behalf of my amendment.

My amendment includes a provision to the Government Accountability Study on the status of the National Flood Insurance Program before the changes that will be in effect with the enactment of this Act.

This amendment seeks to identify any inconsistencies in eligibility standards for coverage.

As I said earlier, this is an enormous step toward helping homeowners get out of poverty when they lose everything. Insurance is just that.

I thank Mr. BAKER, I thank Mr. OXLEY of the full committee, Mr. FRANK of the full committee, the ranking member of the subcommittee, Ms. WATERS, and the chairman of the subcommittee, Mr. NEY. This had to be a yeoman's task of bipartisan effort. And all of my other colleagues on the jurisdiction.

And might I just add, I thank Mr. FRANK for including my eminent domain amendment in previous legislation on this issue dealing with Katrina, but the overall question of flooding. This bill develops an appropriate reform on the demands on flood insurance in times of natural disaster, such as what we saw with Hurricanes Katrina and Rita.

The Government can serve a crucial role in the ability of our Nation to be resilient to natural disaster. This program, for instance, provides for properties located in low to moderate risk areas to be eligible to purchase flood insurance policies for premiums as low as \$112.

With FEMA being led by a new director, and knowing that under Homeland Security, a committee that I sit on, that we want to reform, we want to make this system work for those who have experienced a disaster, then this legislation is a step toward making it work.

In 1968, Congress created the National Flood Insurance Program in response to the rising costs of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally backed flood insurance available

in communities that agree to adopt and enforce the floodplain's management ordinances to reduce future flood damage.

□ 1515

The NFIP is self-supporting for the average historical loss year. This means that, unless there is a widespread disaster, operating expenses and flood insurance claims are financed through premiums collected.

According to a RAND Corporation study conducted for the Federal Emergency Management Agency, nationwide about 49 percent of single family homes in special flood hazard areas are covered by flood insurance from the National Flood Insurance Program. In the South and West, the percentage is higher, about 60 percent. However, outside of the high-risk areas there is a steep drop-off in coverage. Only about 1 percent of homeowners purchase flood insurance in these low-risk areas.

We can see by what is happening in this region, in the Maryland, Washington, Virginia region, that we need to have a sensitivity to the need for flood insurance because we cannot predict the weather. My district in Harris County had only a 25 percent market penetration rate, which means that only one in four households was covered with a flood insurance plan. Given the extent of damage and flooding from circumstances as extreme as Hurricanes Katrina and Rita and as common as our recent storms last week, this rate is unsustainable for my constituents and others around the Nation.

As we all know, many Members of Congress have been fighting to make their constituents whole, and so we know that it has been important to understand what happened.

It is important to remember that often residents will not receive Federal aid for flooding in the disaster area, but, on average, households can receive \$700 from organizations such as the Red Cross, but this amount is clearly not enough.

So this particular amendment requires the GAO to establish the extent to which eligibility standards for pre-FIRM properties were inconsistent and resulted in disparities in coverage among such properties and their owners. That can be a narrow and selective study so we can have this as part of the larger report. The intent is to discover whether or not the application of eligibility standards remained consistent and, if not, whether some homeowners who should have been eligible for flood insurance did not receive it.

We hope with this amendment that the GAO study will be able to answer the following question: Has there ever been a case where someone should have gotten insurance but did not?

A small, isolated selection of cases will help bring about this very important data and add to this legislation and add to the studies that are necessary to make hard-working homeowners and others who desire the

American dream to be made whole in the face of terrible disasters.

With that, I would ask my colleagues to support this amendment.

My amendment includes a provision to the Government Accountability Study on the status of the national flood insurance program before the changes that will be in effect with the enactment of this act. This amendment seeks to identify any inconsistencies in eligibility standard for coverage.

First, let me say that I applaud Mr. BAKER, Mr. FRANK, and my other colleagues on committees of jurisdiction who developed a bill that appropriately addresses the demands on flood insurance in times of natural disaster, such as what we saw with Hurricanes Katrina and Rita. The government can serve a crucial role in the ability of our Nation to be resilient to natural disaster. This program, for instance, provides for properties located in low-to-moderate risk areas to be eligible to purchase flood insurance policies with premiums as low as \$112.

In 1968 Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes Federally backed flood insurance available in communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage. The NFIP is self-supporting for the average historical loss year. This means that unless there is a widespread disaster, operating expenses and flood insurance claims are financed through premiums collected.

According to a RAND Corporation study conducted for the Federal Emergency Management Agency (FEMA), nationwide about 49 percent of single-family homes in special flood hazard areas (SFHAs) are covered by flood insurance from the National Flood Insurance Program. In the South and West the percentage is higher, about 60 percent. However, outside of the high risk areas there is a steep drop-off in coverage. Only about one percent of homeowners purchase flood insurance in these low risk areas.

My district in Harris County, Texas, had only a 25 percent market penetration rate, which means that only 1 in 4 households was covered with a flood insurance plan. Given the extent of damage and flooding from circumstances as extreme as Hurricanes Katrina and Rita, and as common as our recent storms last week, this rate is unsustainable for my constituents, let alone for their local governments.

It is important to remember that often, residents won't receive Federal aid for flooding or other natural disaster damage if the area is not declared a disaster area. On average, households can receive \$700 from organizations such as the Red Cross—but this amount clearly won't cover the full cost of the damage.

Nationwide, flash flooding is the leading cause of weather-related deaths in the U.S.—approximately 200 deaths per year.

Implicit in the reforms established in this bill, however, is the need for an honest and transparent government process. My amendment contributes language to the GAO study analyzing the pre-FIRM (Flood Insurance Reform and Modernization Act) properties and mandatory purchase requirements for natural 100-year floodplain and non-Federally related loans.

Specifically, my amendment requires the GAO to determine the extent to which eligibility standards for pre-FIRM properties were inconsistent and resulted in disparities in coverage among such properties and their owners. The intent is to discover whether or not the application of eligibility standards remained consistent, and if not, whether some homeowners who should have been eligible for flood coverage did not receive it. With this amendment, I hope the GAO will be able to answer the following question: Has there ever been the case where someone should have gotten insurance, but didn't?

I urge my colleagues to support this amendment and support effectively reforming the National Flood Insurance Program.

Mr. OXLEY. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, we are prepared to accept the amendment on this side.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Me, too.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlemen, both, and in fact, Mr. Chairman, with great appreciation for both of you for this deference to me today.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. MATSUI

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 109-530.

Ms. MATSUI. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. MATSUI:

Page 29, after line 2, insert the following new subsection:

(e) GAO STUDY OF LOW-INCOME DISCOUNT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of potential methods, practices, and incentives that would increase the extent to which low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))) that own residential properties located within areas having special flood hazards purchase flood insurance coverage under the national flood insurance program. In conducting the study the Comptroller General shall analyze—

(A) the feasibility and effectiveness of providing such coverage to low-income families at rates that are discounted from the rates at which such coverage is otherwise provided, the amounts by which such rates should be discounted to ensure that coverage is affordable to such families and to encourage purchase of coverage by such families, and the effects of such discounts on the national flood insurance program; and

(B) the extent to which residential properties occupied by low-income families would be affected by expanding the mandatory pur-

chase requirements of the national flood insurance program to the areas included in the national flood insurance program rate maps pursuant to section 1360(k) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(k)), as amended by subsection (a) of this section.

(2) REPORT.—The Comptroller General shall submit to the Congress a report setting forth the conclusions of the study under this subsection not later than 12 months after the date of the enactment of this Act.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MATSUI. Mr. Chairman I yield myself 1½ minutes.

Mr. Chairman, this amendment directs the GAO to study potential methods, practices and incentives that would increase the degree to which low-income property owners living in high-risk locations participate in the National Flood Insurance Program.

I am joined in offering this amendment by two of my colleagues from Texas, Representative GENE GREEN and RUBEN HINOJOSA. I thank them for supporting this amendment. This is an important issue for our districts, but I think this is an equally important issue for Congress to consider.

Most of the amendments we are considering address the impact of the pending updates of our national flood maps on property owners.

It is difficult to craft a policy or an approach when you are missing the correlative information. In this case, the revised flood maps.

We will reauthorize NFIP in 2008. Anticipating the degree to which these new maps will affect low-income property owners' participation in the National Flood Insurance Program is a good and necessary first step toward writing that legislation.

I want to take this opportunity to begin to address the needs of low-income individuals who live in the floodplains or in high-risk flooding areas now.

This amendment will ensure today's legislation will provide us with the information required to plan for the future of the flood insurance program. This is responsible and forward-looking policy, and I hope my colleagues will be able to support our amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OXLEY. I am not going to claim opposition because we support the amendment. I would just say to the gentlewoman, we are pleased to accept her amendment.

Ms. MATSUI. Thank you.

I have two additional speakers to speak on this.

Mr. Chairman, I yield 1½ minutes to my colleague from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise in strong support of the Matsui/Hinojosa/Gene Green amendment to H.R. 4973.

I want to thank my colleagues, Congresswoman MATSUI and Congressman GENE GREEN, and their staff for collaborating with me on this amendment.

This amendment will protect the ability of low-income individuals to purchase a home once the 500-year plain mapping section of this legislation has been completed.

Should it occur in the future, mandating flood insurance coverage for all those that fall in the 500-year floodplain map will add an additional burden to low-income individuals throughout the United States that might make them unable to afford a home.

I hasten to note that, in all likelihood, the majority of the United States will fall within these new borders. Such insurance requirements will tip the scale in the wrong direction, and low-income individuals will lose their home-buying power and be once again penalized more than those most fortunate in America.

This amendment's study will help ensure that low-income individuals receive the help they need when the 500-year floodplain maps are drawn.

I strongly encourage all of my colleagues to support this amendment.

Ms. MATSUI. Mr. Chairman, I yield 1½ minutes to my other colleague from Texas who is cosponsoring, Mr. GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague from California and my colleague from Texas for working with us on this amendment.

I rise in support of the Matsui-Hinojosa-Green amendment to the Flood Insurance Reform Act. The amendment addresses an issue that I have been concerned with for a very long time.

Our district has a per capita income of \$12,000 per year, with over 20 percent of the residents in poverty. Over one-third of our households are worth less than \$100,000. Many of these households are senior citizens on fixed incomes.

These families and households know the dangers of flooding in the Houston area. They want to protect themselves, and we recently had severe flooding with hundreds of homes with several inches of water.

Some Members in Congress act like it is the victim's fault when their houses flood, but these critics do not realize that many people did not move to the floodplains, the floodplains are moving to them.

When we redraw the flood maps, thousands of people are suddenly required to pay hundreds of thousands of dollars in flood insurance. If they not afford to pay, they sometimes lose their mortgage and their house, or when it floods, they can lose all of their property.

It is not fair to evict low-income people from homes that they have been making payments on for years. It would also not be fair to deny Federal disaster assistance to seniors who

could not afford the flood insurance when they suddenly were required to have it.

The 100-year floodplains in Houston and Harris County and across the country, at least our area, have been expanding rapidly. Many of my constituents have been living outside the floodplain for decades. This year they are going to be suddenly redrawn into the 100-year floodplain and required to buy flood insurance.

I believe they should buy flood insurance, and we should encourage low-income people to voluntarily buy flood insurance, also. However, when we are going to impose a new Federal financial burden on low-income folks who have managed against the odds to own their own home, I think we should keep those premiums affordable.

Mr. Chairman, I would hope that we would support this amendment so we could actually have the study.

This legislation is going to increase the rate of premium increases from 10 percent to 15 percent, due to the recent losses to the program.

In return, I think it should also show compassion to low-income homeowners who may be threatened with the loss of their home due to a new flood insurance rate map.

Unfortunately my bill that was redrafted as an amendment to this legislation to provide a discount to low-value homes was not accepted.

As a result, I ask Members to support the Matsui-Hinojosa-Green amendment to require the GAO to determine the best ways to increase flood insurance participation for low-income homeowners, both in voluntary and mandatory programs.

When we reauthorize the NFIP again in 2008, we will need to address this issue, because we do not want the Flood Insurance Reform Act to become the Low-Income Homeowner Eviction Act.

Ms. MATSUI. Mr. Chairman, I yield myself the remaining time.

We direct GAO to report this study to Congress no later than one year after enactment of this legislation, but I want to make so clear, the sooner we have this report the better.

Mr. Chairman, I thank you and my colleagues from Texas for your support on this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. MATSUI. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I will just say that it would certainly be my intention and I think that of whoever the successor is to my friend from Ohio will be next year to take this seriously; that is, this is a study that will not simply languish.

I think it has been indicated there are some concerns about the impact of a fully fiscally responsible program on people, low-income homeowners, and that will be helpful as we try to work out an approach to that.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. RUPPERSBERGER

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 109-530.

Mr. RUPPERSBERGER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. RUPPERSBERGER:

Page 29, line 16, insert before "issue regulations" the following: "in plain language using easy to understand terms and concepts,".

Page 29, line 20, insert before "revise any" the following: "in plain language using easy to understand terms and concepts,".

Page 30, line 2, strike "and".

Page 30, line 11, strike the final period and insert "; and".

Page 30, after line 11, insert the following new paragraph:

(4) include in each standard flood insurance policy a one-page description of the policy using plain language and easy to understand terms and concepts.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentleman from Maryland (Mr. RUPPERSBERGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RUPPERSBERGER. Mr. Chairman, I yield myself as much time as I may consume.

First, let me say that this amendment is very direct and simple. All it does is require the FEMA director to use plain language and easy to understand terms when issuing regulations and revising materials and publications for policyholders regarding insurance coverage in standard flood insurance policies.

This issue hits very close to home for me and several Members of the House. On September 18, 2003, Hurricane Isabel made landfall at the Outer Banks of North Carolina as a Category 2 hurricane. Over the next 24 hours, the hurricane moved across southern Virginia, into Western Pennsylvania and Maryland. The storm surge in the Chesapeake Bay area surrounding Baltimore was 6 to 8 feet above normal levels.

Even though Isabel was only a Category 2 when making landfall, the hurricane was directly or indirectly responsible for 50 deaths, including 7 in Maryland. The hurricane caused approximately \$410 million in insured property damage in Maryland alone, with the number even higher when including uninsured property damage.

In my district alone, several hundred of my constituents lost their homes and everything they owned due to the flooding.

People who lost everything have to pick themselves up and try to rebuild if they can. Many hurricane victims thought they had the right insurance and were covered for these losses. They were wrong.

Hundreds who thought they were covered discovered that they did not have the proper coverage. They thought they understood their policies and what they were covered for. They did not.

It was the technical nature of the policy documents and materials that were provided to these people that led to their confusion.

My amendment seeks to remedy this situation so that, in the future, flood insurance policyholders will have a better understanding of what exactly their policy covers. We need to do that. We need to do what we can to make it crystal clear to policyholders what they are signing up for.

My amendment will not rebuild houses or levees, but it is my hope that this amendment will help people better understand their policies and the National Flood Insurance Program so they are better prepared in the future. Our constituents deserve it, and I urge my colleagues to support this amendment.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I thank the gentleman for yielding. We are prepared to accept the amendment on this side.

Mr. RUPPERSBERGER. Thank you, Mr. Chairman.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. RUPPERSBERGER).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. JINDAL

The Acting CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 109-530.

Mr. JINDAL. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. JINDAL:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. 20. ELIGIBILITY OF PROPERTY DEMOLITION AND REBUILDING FOR MITIGATION ASSISTANCE PROGRAM.**

Section 1366(e)(5)(B) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)(5)(B)) is amended by inserting after "flood risk" the following: "or the demolition and rebuilding of structures located in such areas to at least Base Flood Elevation or any greater elevation required by any local ordinance".

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentleman from Louisiana (Mr. JINDAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. JINDAL. Mr. Chairman, I yield myself such time as I may consume.

Hurricanes Katrina and Rita impacted hundreds of thousands of individuals and caused billions of dollars in

damage to public and private property. However, in the greater New Orleans area, directly in the path of the hurricane, Hurricane Katrina, 63 mitigated private residences survived the hurricane and did not flood despite being surrounded by properties receiving 3 to 4 feet of water from levee breaches.

□ 1530

In 2004, these properties were demolished and rebuilt in place to higher code-compliant standards under an authorized pilot program for mitigation of severe repetitive-loss properties. It is estimated that total benefits to the Nation of mitigation grants between mid-1993 and mid-2003 yielded \$14 billion in savings at a cost of \$3.5 billion, presenting an overall benefit-to-cost ratio of 4.0.

Despite clear cost savings stemming from predisaster mitigation efforts, FEMA has failed to include intrinsic project eligibility criteria from its widely successful 2004 severe repetitive-loss pilot program into its national Flood Mitigation Assistance grant program. Many communities are interested in buying out repetitively flooded properties, but other communities and property owners are interested in measures that retain affordable housing and private ownership.

The list of eligible activities under FEMA does not include demolition and rebuilding, and FEMA has interpreted this omission as a statutory limitation, despite language that allows approval of other activities not explicitly described in the National Flood Insurance Reform Act of 1994.

My amendment is fairly straightforward. It merely clarifies that demolition and rebuilding should be a mitigation option available under the regular Flood Mitigation Assistance program. The demolition and rebuilding option is specifically allowed under the Severe Repetitive Loss Program created by the Flood Insurance Reform Act of 2004 and FEMA has interpreted the difference to mean it cannot approve the measure under FMA. This creates unnecessary confusion, restricted options at local government levels, and a waste of taxpayer money.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. JINDAL. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, we are prepared to accept the amendment.

Mr. JINDAL. I thank the chairman and the ranking member for their support.

Mr. FRANK of Massachusetts. If the gentleman would yield, I am perfectly prepared to offer support subsequent to the thanks. Sequence doesn't seem important.

Mr. JINDAL. I thank the gentleman, and I want to thank the chairman and the ranking member for their work on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by

the gentleman from Louisiana (Mr. JINDAL).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MRS. JO ANN DAVIS OF VIRGINIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 109-530.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mrs. JO ANN DAVIS of Virginia:

At the end of the bill, add the following new section:

**SECTION 20. SAMPLING METHODS FOR QUALITY ASSURANCE.**

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(d) SAMPLING METHODS FOR QUALITY ASSURANCE.—In selecting the cases and claims for operational reviews and claims re-inspections regarding the national flood insurance program under this title, the Director shall use a statistically valid probability sample whose results can be generalized to the entire population of reviews and claims from which the sample is drawn and whose sampling error can be quantified.”.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the Financial Services Committee under Chairman OXLEY, Representative BAKER and Representative NEY, and their leadership in taking aggressive action to address the long-term financial security and management of the National Flood Insurance Program.

After Hurricane Isabel struck my district in 2003, I have watched as many of my constituents have struggled to rebuild their lives. My heart goes out to all those along the gulf coast as they face the monumental task of rebuilding as well.

I still have concerns with oversight policies of the National Flood Insurance Program. Thousands trust and rely on their flood insurance to restore property destroyed by flood waters. However, many have been disappointed to find that the claims adjustment process is unfair and inadequate.

Although the NFIP falls under FEMA, the majority of flood insurance policies are sold and administered by private insurance agencies. Most of the management and oversight functions have been contracted to the Computer Sciences Corporation, CSC. As a result, billions of dollars in policyholders' premiums and, ultimately the borrowing authority of the United States Treasury, pass through a few hands.

I believe that lack of oversight by FEMA has resulted in mismanaged and

underpaid claims. A 2005 GAO study highlighted FEMA's oversight failures, stating that FEMA did not use a statistically valid method for sampling files to be reviewed in monitoring and oversight activities. As a result, FEMA cannot determine the overall accuracy of claims settled for specific flood events or assess the overall performance of insurance companies and adjusters in fulfilling their responsibilities to the NFIP.

This amendment is in line with GAO's recommendation and would direct FEMA to utilize a statistically appropriate sampling method for claims reviews and quality assurance purposes. I offer this amendment to improve the oversight of the National Flood Insurance Program.

My constituents, flood victims in Louisiana, Mississippi, Alabama, Texas, and Florida, and the American taxpayer deserve it; and I urge my colleagues to support this amendment.

Mr. OXLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. JO ANN DAVIS of Virginia. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, we are prepared to accept the amendment and congratulate the gentlewoman on her foresight and her amendment.

Mr. FRANK of Massachusetts. If the gentlewoman would continue to yield, we also find the amendment very acceptable.

Mrs. JO ANN DAVIS of Virginia. I thank my colleagues.

Mr. Chairman, I yield back.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MRS. JO ANN DAVIS OF VIRGINIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 109-530.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mrs. JO ANN DAVIS of Virginia:

At the end of the bill, add the following new section:

**SEC. 20. EXTENSION OF DEADLINE FOR FILING PROOF OF LOSS.**

(a) IN GENERAL.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by inserting “(a) PAYMENT.—” before “The Director”; and

(2) by adding at the end the following new subsection:

“(b) FILING DEADLINE FOR PROOF OF LOSS.—

“(1) IN GENERAL.—In establishing any requirements regarding notification, proof, or approval of claims for damage to or loss of property which is covered by flood insurance made available under this title, the Director may not require an insured to notify the Director of such damage or loss, submit a claim for such damage or loss, or certify to or submit proof of such damage or loss, before the expiration of the 180-day period that

begins on the date that such damage or loss occurred.

“(2) EXCEPTIONS.—Notwithstanding any deadline established in accordance with paragraph (1), the Director may not deny a claim for damage or loss described in such paragraph solely for failure to meet such deadline if the insured demonstrates any good cause for such failure.”.

(b) APPLICABILITY.—Subsection (b) of section 1312 of the National Flood Insurance Act of 1968, as added by subsection (a)(2) of this section, shall apply with respect to any claim under which the damage to or loss of property occurred on or after September 18, 2003.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Hurricane Isabel struck the eastern United States in September of 2003, one of the worst disasters in Virginia history. The financial damages exceeded \$1.5 billion. Winds destroyed homes, knocked down trees and power lines, leading to massive power outages. Large storm surges flooded homes and properties across eastern Virginia, Maryland, North Carolina, and Pennsylvania.

Many residents in my district, the First District of Virginia, are still struggling to rebuild following Hurricane Isabel which struck them in 2003. Some are still living in FEMA trailers. Many have been shattered to learn that flood insurance won't cover their losses.

I have spoken to many misled policyholders who had their claims mismanaged by the National Flood Insurance Program. Claimants were reportedly pressured to sign adjusters' proof of loss within 60 days of the flood, even though they believed that the adjusters had underestimated both the scope of damage and the associated cost of repairs to their properties.

My amendment would extend the proof-of-loss filing deadline to 180 days and should not be used as a technical basis to deny a claim, and make it retroactive to September 18, 2003 to provide much-needed relief for Isabel victims.

I urge my colleagues to support this amendment.

Mr. OXLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. JO ANN DAVIS of Virginia. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, once again, I am prepared to accept the gentlewoman's amendment.

Mr. FRANK of Massachusetts. If the gentlewoman will yield, we also accept the amendment.

Mrs. JO ANN DAVIS of Virginia. I thank my colleagues.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by

the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. ROHRABACHER

The Acting CHAIRMAN. It is now in order to consider amendment No. 14 printed in House Report 109-530.

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. ROHRABACHER:

At the end of the bill, add the following new section:

**SEC. 20. RATES FOR PROPERTY AFFECTED BY FEDERALLY FUNDED FLOOD CONTROL PROJECTS.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by adding at the end the following new subsection:

“(g) EFFECT OF FLOOD CONTROL PROJECTS.—Notwithstanding any other provision of law, in any case where a flood control project constructed with Federal assistance causes a property to become at greater risk for a flood than before the construction of the project, the chargeable rate for the property shall be—

“(1) the rate that the Director would have prescribed under subsection (a) if the flood control project had not been constructed; or

“(2) in the case of property that would not have been considered part of a flood-risk zone prior to construction of the flood control project, zero dollars.”.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise to offer this amendment for the purpose of bringing equitable treatment to people who have inadvertently been made subject to the National Flood Insurance Program by the unintended consequences of a Federal flood control project.

This amendment protects families who have been included in a flood zone due to the completion of a Federal flood control project in Southern California. I have seen this situation firsthand, where homeowners were required to purchase flood insurance, even though the home in which they reside and have lived in for decades has never been subject to flood insurance before.

Ironically, this new flood insurance obligation came after the completion of a massive flood control project within sight of their own home. The Santa Ana River Mainstream Project is a multi-billion dollar Army Corps of Engineers flood control project in California's Orange and San Bernardino Counties. As a consequence of this Federal project, new flood maps were redrawn. These redrawn maps designated hundreds of households to be at risk of flooding which were not previously so classified. Many of these fixed-income residents cannot readily afford the

newly required flood insurance and must choose between the new costly insurance and other necessities of life.

This downside, of course, does not diminish the tremendous good that has come from this and other flood control projects. In my district alone, the Santa Ana River Mainstream Project has made thousands of families safer and guarded billions of dollars' worth of homes and other properties from damage and destruction, all of this achieved by the Army Corps of Engineers on time and under budget. So I applaud the Army Corps' dedication and professionalism and would like to thank them for a job well done. Those people in the floodplain have seen their insurance bills eliminated or reduced.

That said, it is still important not to accomplish something good for many at the expense of a small, yet significant, part of our community. As I have said, for some local people, upon completion of the flood control project, their flood liability inexplicably shot sky high. My amendment addresses this unfortunate and unintended consequence.

Under my amendment, homeowners not included in a flood zone prior to a Federal project but who become included in a Federal flood zone because of that project will be issued flood insurance at no cost to them. Households that were included in a flood zone prior to a Federal project but are put at greater flood risk because of the project will be provided flood insurance at a price formula that was in place before the Federal project was completed.

This is the least we can do to help these people out, making them whole, due to their suffering from a Federal project, especially when we realize that their neighbors enjoy the benefits of this Federal project in the form of lower or no insurance premiums and end up with safer houses and safer homes.

Mr. Chairman, we shouldn't be making a small group bear a huge burden in order to accomplish something good. My amendment will prevent the unintended harm done to a few as a result of a flood control project aimed at helping many. So I ask my colleagues to support this fairness amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

First, to the extent there is an issue here, it is being addressed in the wrong place, that is, if we have decided to get benefits from the Federal flood insurance program, any cost that accrues from that ought to be part of the flood control program. That is, it does not make sense from the budgetary standpoint to give a hit to the Federal flood



insurance program because of a Federal flood control program.

That is what this amendment does in this structure, that is, we pay for the Federal flood control program over here, and that will result in some people under this amendment now getting Federal flood insurance and not paying anything for it. It will, therefore, undercut our efforts to make the Federal flood insurance program a fiscally sound one.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. ROHRABACHER. Do you think if we have imposed a liability on someone, and they have not in any way contributed to that, that we should then—

Mr. FRANK of Massachusetts. No, the gentleman misses my point entirely. I was talking now, assuming that point, as to where the compensation should come from. I do not think it is reasonable to charge the Federal flood insurance program. We have problems with Federal flood insurance.

If in fact the gentleman wants to pursue that principle, it ought to be with regard to the financing of the flood control programs. That is, if as a consequence of flood control there is going to be this problem, I do not think, Mr. Chairman, that we ought to charge the Flood insurance program with it.

The second thing I would say is that the gentleman talked about people on fixed incomes. Several times today in the amendment by the gentleman from New Jersey (Mr. GARRETT) and an amendment that was going to be offered by the gentleman from Texas (Mr. GREEN), the question of some special consideration for lower-income homeowners has come up. I am all in favor of that. I think we should go forward with that. I think we ought to be looking at some kind of relief for lower-income people, and I would include those who will be affected this way and others.

But where we are talking about people who are quite prosperous, the Federal flood control programs are done for a good reason; and it may be, by the way, that while, yes, you, as a result of the Federal flood control program have some more costs, you may also get some benefits. I don't think you can do a general principle in that. You may benefit.

But the main problem I have is this: the result of this amendment, if adopted, would be to weaken the principle of the fiscal balance and integrity of the flood insurance program.

□ 1545

It would say that people would get flood insurance who were at risk of flooding and either pay nothing for it or pay far less than they should be. I hope this amendment is defeated.

I would then be glad to join the gentleman in talking to the committee of

jurisdiction, to say when you are doing a flood control program take this into account, and maybe you want to put some funding into that. But I do not want to weaken the fiscal integrity of the flood insurance program.

Mr. Chairman, I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, we are not talking about establishing policy here. This is not the government's money or the program's money. We are talking about the people's money. The money comes directly from people's pockets. I personally think a lot of people out there will personally resent being called affluent or what you hinted at, more affluent people.

Let me note for my colleague many people affected by this are lower-middle-income people who live in trailers and the like. Why should we have these people pay a hefty penalty in order to help other people? All they know is that the Federal Government has established policies that end up costing them, perhaps the money they need for their children, perhaps the money they need for their grandchildren.

These are the policies we are establishing for a small group of people. That is unfair, and we should not condone those policies.

This will not put at risk the insurance program. It will make it fairer, and it will mean in the future that these things will have to be taken into consideration instead of just robbing some small group of citizens.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 1¼ minutes.

Mr. Chairman, once again, the gentleman totally misrepresents my argument. I didn't say everyone was affluent. I said, in fact, that those who are of low income ought to get the relief here, as they should elsewhere in the program. But some will be affluent. The point, however, is this.

If you give some people flood insurance for free, as this amendment would do, then everybody else who gets flood insurance pays for it. The flood insurance program is supposed to be self-financing, so it will result in increases in flood insurance premiums.

The gentleman said, if it is going to impose costs, that should be taken into account. That was precisely my original point. The costs to people who will now have a flood insurance obligation ought to be taken into account when you do the benefit/cost analysis of the flood control program. But that is not what happens.

Under the gentleman's amendment, we have two separate processes. You decide to do flood control; and then, having done flood control, if that results in some people having to pay flood insurance, the flood insurance program gets stuck with it. It has nothing to do with the financial side of flood control.

I agree we should look at that but from the same source the flood control

programs come in. Telling everyone who now pays flood insurance premiums that they will be subsidizing these people is also an unfairness.

As the gentleman said, if you start this principle of I was here first and then the flood came, I don't know how extendable that would be. I think it is a mistake to set the precedent that some people will get flood insurance for nothing.

Mr. ROHRABACHER. Mr. Chairman, I yield myself my final 30 seconds.

Mr. Chairman, let me just note we have a chance to undo a grave injustice here. Some people, yes, have large homes. Some people have small homes who have been done this injustice.

It is wrong, it is unjust to take money from people and force them into a flood insurance program when they had bought their property based on totally different circumstances and we have changed the circumstances on them. This is not fair.

We have a chance to rectify it now. We can sit here and argue what budget it should come out of. That doesn't do them any good.

We need to try to rectify the situation for hundreds of homes in my area where the homeowners bought property knowing that it was not under flood risk, and we, through our actions, put them in jeopardy.

Mr. FRANK of Massachusetts. Mr. Chairman, how much time is remaining for me?

The Acting CHAIRMAN. Forty-five seconds remain.

Mr. FRANK of Massachusetts. I yield to the gentleman from Oregon.

The Acting CHAIRMAN. The gentleman is recognized for the remaining time.

Mr. BLUMENAUER. This is not a unique circumstance. What is happening is that, when you have a situation where development that might be federally financed, it might be a freeway project, it might be something in a military base, it might be something in a flood control, that changes the circumstance that results in people being in a flood plain.

Mr. FRANK's point is that, regardless of the program, are you going to have the Federal Government somehow pay, are you going to stick four million flood insurance premium payers to pay the cost of the military or of the Corps of Engineers or of the road project? His point is, you shouldn't stick four million innocent flood insurance premium payers.

If you want to set a standard that the Federal Government will pay for these, then go ahead and do that. Finance it separately, but don't stick innocent people who have flood insurance.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California Mr. ROHRABACHER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote, and pending

that, I make the point of order that a quorum is not present.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 15 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 15 printed in House Report 109-530.

Mr. PEARCE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. PEARCE: Page 9, line 6, strike "AND TRANSITION.—" and all that follows through "EFFECTIVE DATE".

Page 9, strike line 13 and all that follows through page 10, line 15.

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to the Flood Insurance Reform and Modernization Act, H.R. 4973.

Chairman BAKER's bill make some great strides in helping insure the stability of our Nation's flood insurance system, yet, like most legislation, there is room for improvement. For that reason, I am offering an amendment that helps insure the National Flood Insurance Program has the resources it needs to cover all its costs.

We have a duty to find savings wherever possible to make sure the National Flood Insurance Program has sufficient resources to cover all its costs by phasing out subsidies for pre-FIRM nonresidential properties, vacation and secondary homes. The committee has already agreed that these subsidies are a luxury we can no longer afford. I agree with the committee's premise that these subsidies should be eliminated.

However, I believe that we can go further and eliminate these subsidies now. We should not wait another half decade to restore fiscal responsibility to the program. When the next flood strikes, how will we explain to those who have lost everything that help is tight because we are still subsidizing someone's vacation home? In the wake of the Katrina disaster, with the flood insurance program facing liabilities of between 23 and \$25 billion, why should we continue to subsidize flood insurance for vacation homes? My amendment will inject \$335 million into the flood insurance program next year.

While the committee predicts that their phase-in saves \$1.5 billion from 2007 to 2016, I respectfully submit that the Pearce amendment will save much

more much sooner. While I respect my chairman's commitment to phasing out these subsidies, I believe we can and should, for the good of the program, eliminate them now.

I hope my colleagues will join me supporting this amendment to eliminate those costly subsidies and help bring the NFIP back into sound fiscal condition.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, we debated earlier an amendment by the gentleman from New Jersey, which as adopted would put residential properties into the phase-in. This would take nonresidential properties and second homes out of the phase-in.

I believe it would be a mistake and could result in a severe economic shock to a number of communities. We are talking about, in the bill, accomplishing the goal that this amendment accomplishes.

The question is, how quickly do you do it? We have a phase-in to full actuarial rates at 15 percent a year. For some individuals who may own an isolated second home, that is one thing. We have many communities in this country where the basis of their economy is second homes, vacation homes and also facilities that service vacation homes. To immediately raise all the insurance rates on all of those properties in that community seems to me to subject them to an economic shock which is unwise.

The 15 percent rate, we think, is an unreasonable one. We are talking about a period of years, 5 or 6 years, before you get to the full amount.

But that is the issue. Do you go to these communities, and, again, we do have, and that has been one of the issues here, people who bought under certain assumptions, people who paid for property figuring a certain amount. Vacation homes is one thing. People brought commercial properties. People figured out, okay, I bought this property. This is how I am going to make my living. How can I make money on this? What is the cash flow?

And the insurance premiums are a part of it. To increase those insurance premiums in 1 year, without a phase-in, could threaten the viability from small businesses, small business people who have been careful about calculating their risk.

We have given them the 15 percent increase. There was obviously resistance to that. There were people in shoreline communities and vacation communities and elsewhere who don't like the notion of getting to actuarial soundness.

But to do it without any phase-in at all, to do it overnight, is a problem, not just for the second homes, and

maybe people are less sympathetic to people's vacations, but with non-commercial property small business owners. You are talking about a significant, immediate significant increase in the insurance of small business owners. That seems to me an unwise thing for us to do when we can get there a little bit slower but get there with the phase-in.

I would remind people that, even with the phase-in, the Taxpayers Union, Citizens Against Government Waste support this bill. I do not think it is a mistake for us to be gradual, not taking forever, 5 or 6 years, in hitting business owners, small business owners with a very significant increase in their flood insurance.

Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, as I listen to the arguments of the other side, I would just note that the people in the Second District of New Mexico generally average under \$30,000 a year net income; \$70,000 would buy most homes in the Second District of New Mexico. To explain to those people why they are subsidizing vacation homes on coastlines, many times they are seeing on TV the same reports that I am seeing that someone with a 4 or \$500,000 home gets to rebuild it multiple times. It is very difficult for me to explain that to my constituents. Just understand and appreciate the gentleman's argument that it could provide a severe economic impact.

Frankly, to tax the lower income people of the rest of the country to avoid those impacts seems to me that we are making choices that are not ours to make.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, first, you don't get \$500,000. There is a cap.

Secondly, we do agree that people should reach to full actuarial amounts. It depends on when.

Third, I would say, every time something comes up, there are cost subsidies.

People in my district don't grow much corn or much wheat, and we pay some subsidies. There are people who don't have any public transportation, and they do.

This is one country. The government is not a supermarket where you go in and pay for only exactly what you buy off the shelf. There is some joint effort.

But the other problem is the gentleman from New Mexico has not described his amendment completely.

What about small business people, he says, second homes and other properties? You have that problem with people who have businesses. What do you do with smaller businesses, people who have brought businesses in these vacation areas who are trying to make a living and who made a calculation based on insurance? What about them? These are not necessarily fat guys. What do you do to them when you immediately and without any phase-in at



all give them what could be a very significant increase in their insurance?

So that is the problem that we have. That is where we have the difference with our friend from New Mexico, not simply with regard to the second home but to the businesses.

Mr. Chairman, I would reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, you have heard the gentleman from Massachusetts speak against this amendment. He highlights his interest in preserving a phase-in period included in the underlying bill. I have the utmost respect for him, but I must disagree.

At a time when the flood insurance program system is facing record borrowing and interest payments, we have the responsibilities to remove luxuries from the program.

The final point we should make is simple. This amendment will result in an additional \$335 million in premium payments to the flood insurance program. This will help preserve the financial stability of the program and reduce the burden on taxpayers. This is a good amendment, and I urge all my colleagues to vote "yes."

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, there are two aspects that have to be considered, one, the impact on vacation communities. It is not only wealthy people. You are talking about the businesses, the hotel owners, the small business people, the restaurant owners, the rooming house owners. They would get a heavy impact here. Cumulatively, if you affect all the commercial property in one of these areas, then you will also affect the whole area.

The economic impact on small business people and on entire communities of a 100 percent overnight significant increase in insurance is not something we ought to be inflicting on people. The phase-in is reasonable. They should be getting actuarial rates but at a reasonable pace.

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The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT NO. 16 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 16 printed in House Report 109-530.

Mrs. MILLER of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mrs. MILLER of Michigan:

Page 24, after line 6, insert the following:

"(5) GREAT LAKES FLOOD LEVEL STUDY.—

"(A) IN GENERAL.—Not later than 90 days after the completion by the International Joint Commission of The Upper Great Lakes Study, the Director shall request the Corps of Engineers to complete a new inundation map for areas surrounding the upper Great Lakes and their interconnecting channels to assist the Director in the development of maps identifying 100- and 500-year flood inundation areas for those areas.

"(B) REQUIREMENTS.—The Director shall request the Corps of Engineers, in completing new inundation map under subparagraph (A), to—

"(i) utilize data and findings from The Upper Great Lakes Study by the International Joint Commission, including any changes to the International Joint Commission's Order of Approval at St. Mary's River; and

"(ii) accurately show the flood inundation of each property by flood risk in the floodplain.

"(C) VALIDITY OF STUDY.—The Director shall take such actions as may be necessary to ensure that the maps completed pursuant to the request under subparagraph (A) are valid and appropriate for use for purposes of the national flood insurance program.

"(D) COMPLETION OF STUDY.—In making the request under subparagraph (A), the Director shall request that the Corps of Engineers complete the new inundation map not later than 18 months after the date of the completion of The Upper Great Lakes Study by the International Joint Commission.

"(E) LIMITATION OF ELEVATION INCREASES.—The Director shall not increase the base flood elevation in any community surrounding the upper Great Lakes and their interconnecting channels until the Corps of Engineers completes the new inundation map pursuant to the request under subparagraph (A).

"(F) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

"(i) The term 'upper Great Lakes' means Lake Superior, Lake Michigan, Lake Huron, and Lake Erie.

"(ii) The term 'interconnecting channels' means the St. Mary's River, St. Clair River, Lake St. Clair, the Detroit River, and the Niagara River up to Niagara Falls."

Page 24, line 7, strike "(5)" and insert "(6)".

Page 24, line 18, strike "(6)" and insert "(7)".

The Acting CHAIRMAN. Pursuant to House Resolution 891, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, this amendment has the potential actually to impact millions of property owners, millions of them, property owners that live on, near or around the Upper Great Lakes, which is essentially everything in the

Great Lakes Basin upstream from Niagara Falls. So Lake Superior, Lake Michigan, Lake Huron, Lake Erie, Lake St. Clair, and then the rivers of Saint Mary, the Saint Clair River, the Detroit River and the Niagara River.

Mr. Chairman, FEMA is currently engaged in doing what the Congress directed them to do, and that is to update and to modernize flood maps across the entire Nation. And I certainly recognize that with new technology, we can and we should update the maps to convert them into a user-friendly digital format which will account for property development and growth as well as changes in topography. So I certainly want to make clear that I support authorizing funds so that this important work continues.

However, I do believe that property owners on the Upper Great Lakes are being treated unfairly by this process, because I can show over and over and over again how these property owners, who very rarely flood nor have the potential to flood, are actually being abused by the National Flood Insurance Program. Just those in the current floodplain are already paying in substantially more in premiums than they will ever, ever receive in claims out. And now FEMA wants to include more. And they want more.

Mr. Chairman, I would submit that if any private insurance company was trying to get away with this, the State insurance commissioners in the Great Lakes States would be revoking their licenses to sell insurance. Let me just give you one example: in regards to FEMA's proposal for remapping in the Great Lakes region they are basing raising the base flood elevation an additional 14 inches, they say to accurately reflect the risk of flooding.

But this is predicated on data from 1988. This was 2 years after the absolute high recorded rate levels for the Great Lakes ever. And during that time, none of the new properties FEMA is talking about bringing into the floodplain actually flooded, nor was it in danger of flooding.

Since that time, in Lake St. Clair alone, the lake levels have dropped over 3 feet and they are now, it is now almost 5 feet below the current flood elevation. And most importantly, if you really want to look at historic averages, the lake level has only changed an average depth of less than 6 inches per year. Yet, if FEMA goes ahead with their proposal, the new base flood elevation will be 6 feet above the current lake levels. And for the lake levels to rise that much, I think that the polar ice caps would probably have to melt next year. And I don't believe even Al Gore is predicting something like that.

Mr. Chairman, the amendment simply asks for FEMA to do no more harm, to keep their status quo on the Great Lakes property owners and base their new maps on updated data.

My amendment would require that the Army Corps of Engineers would

have to wait until they have the results of a 5-year study, which is currently being undertaken by the International Joint Commission, the IJC. I believe they are 2 years into their 5-year study. This will be the most comprehensive lake level study completed. And certainly we can all agree that using sound science when literally hundreds of millions of dollars are about to be assessed against American property owners is the most prudent course of action. I would urge my colleagues to support the Miller amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN (Mr. BONNER). The gentleman is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Chairman.

I yield myself 3 minutes.

Mr. Chairman, I rise in strong opposition to this amendment. Part of what I find a little ironic is the notion that these flood levels will never increase for the lakes. I have heard already in the last 24 hours here in Washington, D.C. as people say, "my basement has never flooded before". Welcome to the world of flood management.

The Gentlewoman referenced global warming. We don't know where we are going in terms of melting the ice caps. But the point is, we don't have to get that far into the future and invoke former Vice President Al Gore.

We are not treating anybody unfairly under the mapping program. The National Flood Insurance Program is a voluntary program. If a community really feels that the building insurance requirements are too burdensome, they don't have to participate. Participation in the NFIP and its requirements is not a malicious financial burden on communities. It is a privilege that provides the community with the resources it needs to protect itself from floods.

This amendment would have the effect of delaying the implementation of flood maps meant to protect communities and having Congress intervene. And I, with all due respect, think our record in approving projects, we just heard from Mr. ROHRBACHER, that actually increased flooding, is not a very strong record. For us to sit in judgment and second guess the experts, I think is wrong. It would be a terrible precedent.

Congress should not be involved with determining flood maps. FEMA determines base flood elevations using widely accepted statistical engineering analysis. Artificially preventing flood elevations from going up would be the same as underestimating flood risks and leading people to build homes that are not safe and putting Congress's stamp of approval.

There is no such thing as zero risk. A property in the 100-year floodplain has a 96 percent chance of being flooded in the next hundred years without global warming. The fact that several years go by without a flood does not change

that probability. For example, water levels in the Great Lakes fluctuated. In 1986 the Great Lakes hit their highest levels in recorded history. This could happen again.

Raising the base flood elevations will not impact homes that were built before a revised map was issued. Nothing in the regulations requires a pre-existing home to be upgraded simply because a new map with a higher base flood elevation is produced. Only new buildings and substantially improved buildings that are started after the new maps become effective will be impacted.

We have heard after Katrina hit people were shocked. They didn't think they would be affected. We found out that we haven't done enough to include wide enough areas. This amendment would be a tragic and unnecessary step backwards.

Mrs. MILLER of Michigan. Mr. Chairman, I appreciate the arguments opposed to my amendment. I did not say that we never thought that the lake levels would ever rise or that we would flood. Obviously, I think there are a lot of factors that go into the lake levels rising. You have factors that are manmade, like the Chicago diversionary canal. You have got the Sault Locks. You have got the St. Lawrence Seaway. The biggest factor has nothing to do with man, and that is God. God makes the lake levels go up and down, I think.

But I would say this: I think this is an issue of financial fairness. I really do believe that. And the brutal reality is that FEMA actually needs more money to pay for all these flood insurance claims that they have had in recent years. Let me just cite this statistic, and let me ask anyone to tell me with a straight face that it is fair and equitable: between 1978 and 2002, there were 10 States that received more in claims than what they paid in policies, in fact, over \$1.5 billion more. And the average premium for policyholders in those States was \$223.

Michigan, on the other hand, paid almost \$120 million more into the program than it received back in claims. Yet the average premium for our policyholders was \$260. And this is a common element in all of the Great Lakes States, the same States that are paying year after year after year, decade after decade, much more than others. And I think they are being taken advantage of by the flood insurance program.

Again, I would urge my colleagues to support the Miller amendment. This is a good bill. I think my amendment makes a good bill better.

The Acting CHAIRMAN. The gentleman's time has expired.

The gentleman from Oregon is recognized for 2 minutes.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 1 of the remaining 2 minutes.

The fact that Michigan has paid in more than they have received, or that

10 States have paid in more than they have received during the last 20 years is irrelevant. The point is that it is a flood insurance program. And some years you are going to get more; some years you are going to get less. And you don't look at it over a 10-year or a 20-year program.

We make it as fair as we can, and we look at the probabilities. We need to update all of the floodplain maps so that we minimize any fluctuation. If everybody who was upset that they got back less than they paid in was monkeying around with updating the maps, then the system would be more and more out of whack and there would be more and more inequity.

What we should do is allow FEMA, the Corps of Engineers, to do their job, to update all of the maps and make it fair. Make no mistake, make no mistake; if a tremendous flood comes, people are going to want their help now, and they will understand why they paid a little more at another time.

Mr. Chairman, I reserve the balance of my time, and I reserve the right to close.

The Acting CHAIRMAN. The gentleman's time has expired, so the gentleman is recognized to close.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BLUMENAUER. I yield to the distinguished ranking member.

Mr. FRANK of Massachusetts. Mr. Chairman, I want to say, as I said before, we are running here a national program. And if it becomes 50 separate State programs or a couple of thousand separate county programs, you lose the insurance principle.

And it is also the case, and I understand that there are programs into which Massachusetts pays more than it gets back. Under Medicaid, we get a lower percentage of reimbursement than other States do. We have public transportation and we benefit. But we don't have much that is subsidized agriculturally.

I think the notion that every State can have a balance sheet destroys, the Articles of Confederation embody that principle, but not the Constitution.

You cannot run a national program based on need, based on response to situations on a nationwide basis if you have this kind of a balance thing.

So I agree, we should be pushing FEMA to do the right thing; but if we begin to pick and choose based on one State, you know, we will have a situation where every State will be looking to make money and none will be paying in, and pretty soon there won't be anything left.

Mr. LEVIN. Mr. Chairman, I rise in support of the Miller amendment. It is important that the record here today reflects that FEMA is proposing to revise base flood elevations using flawed methods and old data.

In my home state of Michigan, FEMA has proposed raising the base flood elevation, significantly in some areas. While FEMA should work to keep flood maps up-to-date, indeed updating these maps is one of the purposes of

this bill, it must do so in a responsible manner, utilizing accurate data. Unfortunately, that has not been true in this case.

FEMA's proposal for base flood elevations in Michigan is based on a study that is 18 years old. More to the point, the last year of data included in this 1988 study of Great Lakes water levels is the same year that the Great Lakes hit historic highs. Since then, water levels in the Great Lakes have fallen to historic lows. These elevations, which determine who is required to purchase flood insurance, need to reflect the actual risk of flooding. Commonsense, let alone science, should tell us very clearly that the risk of flooding is lower today than it was 18 years ago when this study was completed.

Right now, the International Joint Commission, or IJC, is conducting a comprehensive study of Great Lakes water levels that will be completed in 2010 or 2011. This study will take a more realistic view of factors affecting lake levels, including increased population, water consumption, environmental changes and higher flow through the Great Lakes system.

This amendment would require FEMA to use the more up-to-date and accurate data that the IJC study will provide. I am not arguing that Great Lakes states like Michigan should not have their flood maps updated, or that there should be some fixed ratio between premiums paid and damage claims received. What I am saying is that the revised flood maps should use the best data available, rather than 20-year old data that does not reflect the true flood risk.

Mr. Chairman, this bill is about reforming and improving the National Flood Insurance Program. In doing so, we must signal to FEMA that they must be responsible in setting these flood elevations. In Michigan, FEMA is proceeding on the basis of bad data, and that's going to lead to bad policy.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 14 by Mr. ROHR-ABACHER of California.

Amendment No. 15 by Mr. PEARCE of New Mexico.

Amendment No. 16 by Mrs. MILLER of Michigan.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 14 OFFERED BY MR. ROHRABACHER

The Acting CHAIRMAN. The pending business is the demand for a recorded

vote on the amendment offered by the gentleman from California (Mr. ROHR-ABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 98, noes 327, not voting 7, as follows:

[Roll No. 322]

#### AYES—98

Aderholt	Gutknecht	Pearce
Akin	Hall	Pearce
Bartlett (MD)	Hayworth	Peterson (MN)
Bass	Hefley	Petri
Beauprez	Hostettler	Pitts
Bilbray	Hulshof	Poe
Boehlert	Hunter	Price (GA)
Bono	Hyde	Radanovich
Boozman	Jenkins	Rahall
Bradley (NH)	Jindal	Rehberg
Burton (IN)	Kelly	Rogers (KY)
Calvert	King (IA)	Rogers (MI)
Campbell (CA)	King (NY)	Rohrabacher
Chabot	Kingston	Ros-Lehtinen
Coble	Kuhl (NY)	Royce
Cole (OK)	Lewis (CA)	Ryan (WI)
Culberson	Lewis (KY)	Schwarz (MI)
Deal (GA)	Linder	Sensenbrenner
Diaz-Balart, L.	Lungren, Daniel	Shadegg
Diaz-Balart, M.	E.	Sherwood
Duncan	McCaul (TX)	Shuster
Ehlers	McCotter	Sodrel
Emerson	McHenry	Souder
Flake	McHugh	Stearns
Fossella	McKeon	Sweeney
Fox	Miller (MI)	Tancredo
Franks (AZ)	Miller, Gary	Taylor (NC)
Galleghy	Nadler	Tiahrt
Gillmor	Norwood	Weldon (FL)
Gingrey	Nunes	Weller
Gohmert	Oberstar	Westmoreland
Graves	Obey	Wicker
Green, Gene	Otter	Wilson (SC)

#### NOES—327

Ackerman	Burgess	Delahunt
Alexander	Butterfield	DeLauro
Allen	Buyer	Dent
Andrews	Camp (MI)	Dicks
Baca	Cantor	Dingell
Bachus	Capito	Doggett
Baird	Capps	Doolittle
Baker	Capuano	Doyle
Baldwin	Cardin	Drake
Barrett (SC)	Cardoza	Dreier
Barrow	Carnahan	Edwards
Barton (TX)	Carter	Emanuel
Bean	Case	Engel
Becerra	Castle	English (PA)
Berkley	Chandler	Eshoo
Berman	Chocola	Etheridge
Berry	Clay	Everett
Biggart	Cleaver	Farr
Bilirakis	Clyburn	Fattah
Bishop (GA)	Conaway	Feeney
Bishop (NY)	Conyers	Ferguson
Bishop (UT)	Cooper	Filner
Blackburn	Costa	Fitzpatrick (PA)
Blumenauer	Costello	Foley
Blunt	Cramer	Forbes
Boehner	Crenshaw	Ford
Bonilla	Crowley	Fortenberry
Bonner	Cubin	Frank (MA)
Boren	Cuellar	Frelinghuysen
Boswell	Cummings	Garrett (NJ)
Boucher	Davis (AL)	Gerlach
Boustany	Davis (CA)	Gibbons
Boyd	Davis (FL)	Gilchrest
Brady (PA)	Davis (IL)	Gonzalez
Brady (TX)	Davis (KY)	Goode
Brown (OH)	Davis (TN)	Goodlatte
Brown (SC)	Davis, Jo Ann	Gordon
Brown, Corrine	Davis, Tom	Granger
Brown-Waite,	DeFazio	Green (WI)
Ginny	DeGette	Green, Al

Grijalva	Matheson	Sabo
Gutierrez	Matsui	Salazar
Harman	McCarthy	Sanchez, Linda
Harris	McCollum (MN)	T.
Hart	McCrery	Sanchez, Loretta
Hastings (FL)	McDermott	Sanders
Hastings (WA)	McGovern	Saxton
Hayes	McIntyre	Schakowsky
Hensarling	McKinney	Schiff
Herger	McMorris	Schmidt
Hereth	McNulty	Schwartz (PA)
Higgins	Meehan	Scott (GA)
Hinchey	Meek (FL)	Scott (VA)
Hinojosa	Meeks (NY)	Serrano
Hobson	Melancon	Sessions
Hoekstra	Mica	Shaw
Holden	Michaud	Shays
Holt	Millender-	Sherman
Honda	McDonald	Shimkus
Hooley	Miller (FL)	Simmons
Hoyer	Miller (NC)	Simpson
Inglis (SC)	Miller, George	Skelton
Inslee	Mollohan	Slaughter
Israel	Moore (KS)	Smith (NJ)
Issa	Moore (WI)	Smith (TX)
Istook	Moran (KS)	Smith (WA)
Jackson (IL)	Moran (VA)	Snyder
Jackson-Lee	Murphy	Solis
(TX)	Murtha	Spratt
Jefferson	Musgrave	Stark
Johnson (CT)	Myrick	Stupak
Johnson (IL)	Napolitano	Sullivan
Johnson, E. B.	Neal (MA)	Tanner
Jones (NC)	Neugebauer	Tauscher
Jones (OH)	Ney	Taylor (MS)
Kanjorski	Northup	Terry
Kaptur	Nussle	Thomas
Keller	Oliver	Thompson (CA)
Kennedy (MN)	Osborne	Thompson (MS)
Kennedy (RI)	Owens	Thornberry
Kildee	Oxley	Tiberi
Kilpatrick (MI)	Pallone	Tierney
Kind	Pascarell	Towns
Kirk	Pastor	Turner
Kline	Payne	Udall (CO)
Knollenberg	Pelosi	Udall (NM)
Kolbe	Pence	Upton
Kucinich	Peterson (PA)	Van Hollen
LaHood	Pickering	Velázquez
Langevin	Platts	Visclosky
Lantos	Pombo	Walden (OR)
Larsen (WA)	Pomeroy	Walsh
Larson (CT)	Porter	Wamp
Latham	Price (NC)	Wasserman
LaTourrette	Pryce (OH)	Schultz
Leach	Putnam	Waters
Lee	Ramstad	Watson
Levin	Rangel	Watt
Lewis (GA)	Regula	Waxman
Lipinski	Reichert	Weiner
LoBiondo	Renzi	Weldon (PA)
Lofgren, Zoe	Reyes	Wexler
Lowey	Reynolds	Whitfield
Lucas	Rogers (AL)	Wilson (NM)
Lynch	Ross	Wolf
Mack	Rothman	Woolsey
Maloney	Roybal-Allard	Wu
Manzullo	Ruppersberger	Wynn
Marchant	Rush	Young (AK)
Markey	Ryan (OH)	Young (FL)
Marshall	Ryun (KS)	

#### NOT VOTING—7

Abercrombie	Evans	Strickland
Cannon	Johnson, Sam	
Carson	Ortiz	

□ 1641

Mr. CARDOZA, Mr. TAYLOR of Mississippi and Mr. SULLIVAN changed their vote from "aye" to "no."

Messrs. SHUSTER, POE, HALL, SODREL, GILLMOR, FOSSELLA, BOOZMAN, TIAHRT and GALLEGLY and Mrs. KELLY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings

were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 347, not voting 9, as follows:

[Roll No. 323]

## AYES—76

Akin	Hastings (WA)	Pence
Bachus	Hayworth	Petri
Barrett (SC)	Hensarling	Pitts
Barton (TX)	Hoekstra	Price (GA)
Beauprez	Hostettler	Radanovich
Bilbray	Inglis (SC)	Ramstad
Blackburn	Istook	Rehberg
Burgess	Jenkins	Renzi
Campbell (CA)	King (IA)	Rogers (AL)
Cantor	Kingston	Rogers (MI)
Chabot	Kolbe	Rohrabacher
Chocola	Lungren, Daniel	Royce
Cooper	E.	Ryan (WI)
Deal (GA)	Marchant	Schwarz (MI)
Duncan	McCotter	Sensenbrenner
Everett	McHenry	Shadegg
Feeney	McMorris	Sherwood
Flake	Miller (MI)	Shuster
Fortenberry	Musgrave	Sodrel
Fox	Myrick	Stearns
Franks (AZ)	Neugebauer	Tancredo
Garrett (NJ)	Northup	Thornberry
Gingrey	Norwood	Wamp
Gohmert	Otter	Westmoreland
Goodlatte	Paul	Wu
Gutknecht	Pearce	

## NOES—347

Ackerman	Capps	Ehlers
Aderholt	Capuano	Emanuel
Alexander	Cardin	Emerson
Allen	Cardoza	Engel
Andrews	Carnahan	English (PA)
Baca	Carter	Eshoo
Baird	Case	Etheridge
Baker	Castle	Farr
Baldwin	Chandler	Fattah
Barrow	Clay	Ferguson
Bartlett (MD)	Cleaver	Finer
Bass	Clyburn	Fitzpatrick (PA)
Bean	Coble	Foley
Becerra	Cole (OK)	Forbes
Berkley	Conaway	Ford
Berman	Conyers	Fossella
Berry	Costa	Frank (MA)
Biggart	Costello	Frelinghuysen
Bilirakis	Cramer	Gallegly
Bishop (GA)	Crenshaw	Gerlach
Bishop (NY)	Crowley	Gibbons
Blumenauer	Cubin	Gilchrest
Blunt	Cuellar	Gillmor
Boehlert	Culberson	Gonzalez
Boehner	Cummings	Goode
Bonilla	Davis (AL)	Gordon
Bonner	Davis (CA)	Granger
Bono	Davis (FL)	Graves
Boozman	Davis (IL)	Green (WI)
Boren	Davis (KY)	Green, Al
Boswell	Davis (TN)	Green, Gene
Boucher	Davis, Jo Ann	Grijalva
Boustany	Davis, Tom	Gutierrez
Boyd	DeFazio	Hall
Bradley (NH)	DeGette	Harman
Brady (PA)	Delahunt	Harris
Brady (TX)	DeLauro	Hart
Brown (OH)	Dent	Hastings (FL)
Brown (SC)	Diaz-Balart, L.	Hayes
Brown, Corrine	Diaz-Balart, M.	Hefley
Brown-Waite,	Dicks	Hergert
Ginny	Dingell	Herseth
Burton (IN)	Doggett	Higgins
Butterfield	Doolittle	Hinche
Buyer	Doyle	Hinojosa
Calvert	Drake	Hobson
Camp (MI)	Dreier	Holden
Capito	Edwards	Holt

Honda	McKinney	Saxton
Hooley	McNulty	Schakowsky
Hoyer	Meehan	Schiff
Hulshof	Meek (FL)	Schmidt
Hunter	Meeks (NY)	Schwartz (PA)
Hyde	Melancon	Scott (GA)
Inslee	Mica	Scott (VA)
Israel	Michaud	Serrano
Issa	Millender-	Sessions
Jackson (IL)	McDonald	Shaw
Jackson-Lee	Miller (FL)	Shays
(TX)	Miller (NC)	Sherman
Jefferson	Miller, Gary	Shimkus
Jindal	Miller, George	Simmons
Johnson (CT)	Mollohan	Simpson
Johnson (IL)	Moore (KS)	Skelton
Johnson, E. B.	Moore (WI)	Slaughter
Jones (NC)	Moran (KS)	Smith (NJ)
Jones (OH)	Moran (VA)	Smith (TX)
Kanjorski	Murphy	Smith (WA)
Kaptur	Murtha	Snyder
Keller	Nadler	Solis
Kelly	Napolitano	Souder
Kennedy (MN)	Neal (MA)	Spratt
Kennedy (RI)	Ney	Stark
Kildee	Nunes	Stupak
Kilpatrick (MI)	Nussle	Sweeney
Kind	Oberstar	Tanner
King (NY)	Obey	Tauscher
Kirk	Olver	Taylor (MS)
Kline	Osborne	Taylor (NC)
Knollenberg	Owens	Terry
Kucinich	Oxley	Thomas
Kuhl (NY)	Pallone	Thompson (CA)
LaHood	Pascarell	Thompson (MS)
Langevin	Pastor	Tiahrt
Lantos	Payne	Tiberi
Larsen (WA)	Pelosi	Tierney
Larson (CT)	Peterson (MN)	Towns
Latham	Peterson (PA)	Turner
LaTourette	Pickering	Udall (CO)
Leach	Platts	Udall (NM)
Lee	Poe	Upton
Levin	Pombo	Van Hollen
Lewis (CA)	Pomeroy	Velázquez
Lewis (GA)	Porter	Visclosky
Lewis (KY)	Price (NC)	Walden (OR)
Linder	Pryce (OH)	Walsh
Lipinski	Putnam	Wasserman
LoBiondo	Rahall	Schultz
Lofgren, Zoe	Rangel	Waters
Lowey	Regula	Watson
Lucas	Reichert	Watt
Lynch	Reyes	Waxman
Mack	Reynolds	Weiner
Maloney	Rogers (KY)	Weldon (FL)
Manzullo	Ros-Lehtinen	Weldon (PA)
Markey	Ross	Weller
Marshall	Rothman	Wexler
Matheson	Roybal-Allard	Whitfield
Matsui	Ruppersberger	Wicker
McCarthy	Rush	Wilson (NM)
McCauley (TX)	Ryan (OH)	Wilson (SC)
McCollum (MN)	Ryun (KS)	Wolf
McCrery	Sabo	Woolsey
McDermott	Salazar	Wynn
McGovern	Sánchez, Linda	Young (AK)
McHugh	T.	Young (FL)
McIntyre	Sanchez, Loretta	
McKeon	Sanders	

## NOT VOTING—9

Abercrombie	Carson	Ortiz
Bishop (UT)	Evans	Strickland
Cannon	Johnson, Sam	Sullivan

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1648

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 304, not voting 8, as follows:

[Roll No. 324]

## AYES—120

Aderholt	Hergert	Pearce
Akin	Higgins	Petri
Bachus	Hoekstra	Pitts
Baldwin	Hostettler	Platts
Barrett (SC)	Hulshof	Radanovich
Barton (TX)	Hunter	Regula
Bass	Hyde	Rehberg
Bean	Jenkins	Renzi
Beauprez	Johnson (CT)	Reynolds
Bilirakis	Jones (NC)	Rogers (AL)
Bishop (UT)	Kaptur	Rogers (KY)
Blackburn	Kildee	Rogers (MI)
Boehlert	Kind	Rohrabacher
Bono	King (IA)	Ros-Lehtinen
Bradley (NH)	King (NY)	Ryan (WI)
Burton (IN)	Kingston	Schakowsky
Buyer	Kirk	Schwarz (MI)
Camp (MI)	Kline	Sensenbrenner
Cantor	Knollenberg	Shuster
Chabot	LaHood	Simmons
Chocola	Levin	Simpson
Cole (OK)	Lewis (KY)	Sodrel
Conyers	Lucas	Souder
Davis, Tom	Lynch	Stearns
Dent	Manzullo	Stupak
Diaz-Balart, L.	Marchant	Sullivan
Diaz-Balart, M.	McCauley (TX)	Sweeney
Dingell	McCotter	Tancredo
Doolittle	McHenry	Tiahrt
Duncan	McHugh	Turner
Ehlers	McMorris	Upton
English (PA)	Mica	Walden (OR)
Feeney	Miller (MI)	Walsh
Gerlach	Moore (WI)	Wamp
Gillmor	Moran (KS)	Weldon (FL)
Gingrey	Myrick	Weller
Green (WI)	Northup	Whitfield
Hastings (WA)	Obey	Wolf
Hayworth	Otter	Young (AK)
Hefley	Paul	Young (FL)

## NOES—304

Ackerman	Calvert	Delahunt
Alexander	Campbell (CA)	DeLauro
Allen	Capito	Dicks
Andrews	Capps	Doggett
Baca	Capuano	Doyle
Baird	Cardin	Drake
Baker	Cardoza	Dreier
Barrow	Carnahan	Edwards
Bartlett (MD)	Carter	Emanuel
Becerra	Case	Emerson
Berkley	Castle	Engel
Berman	Chandler	Eshoo
Berry	Clay	Etheridge
Biggart	Cleaver	Everett
Bilbray	Clyburn	Farr
Bishop (GA)	Coble	Fattah
Bishop (NY)	Conaway	Ferguson
Blumenauer	Cooper	Finer
Blunt	Costa	Fitzpatrick (PA)
Boehner	Costello	Flake
Bonilla	Cramer	Foley
Bonner	Crenshaw	Forbes
Boozman	Crowley	Ford
Boren	Cubin	Fortenberry
Boswell	Cuellar	Fossella
Boucher	Culberson	Frank (MA)
Boustany	Cummings	Frank (AZ)
Boyd	Davis (AL)	Frelinghuysen
Brady (PA)	Davis (CA)	Gallegly
Brady (TX)	Davis (FL)	Garrett (NJ)
Brown (OH)	Davis (IL)	Gibbons
Brown (SC)	Davis (KY)	Gilchrest
Brown, Corrine	Davis (TN)	Gohmert
Brown-Waite,	Davis, Jo Ann	Gonzalez
Ginny	Deal (GA)	Goode
Burgess	DeFazio	Goodlatte
Butterfield	DeGette	

Gordon	Matsui	Rush
Granger	McCarthy	Ryan (OH)
Graves	McCollum (MN)	Ryun (KS)
Green, Al	McCrery	Sabo
Green, Gene	McDermott	Salazar
Grijalva	McGovern	Sánchez, Linda
Gutierrez	McIntyre	T.
Gutknecht	McKeon	Sánchez, Loretta
Hall	McKinney	Sanders
Harman	McNulty	Saxton
Harris	Meehan	Schiff
Hart	Meek (FL)	Schmidt
Hastings (FL)	Meeks (NY)	Schwartz (PA)
Hayes	Melancon	Scott (GA)
Hensarling	Michaud	Scott (VA)
Hersteth	Millender-	Serrano
Hinchey	McDonald	Sessions
Hinojosa	Miller (FL)	Shadegg
Hobson	Miller (NC)	Shaw
Holden	Miller, Gary	Shays
Holt	Miller, George	Sherman
Honda	Mollohan	Sherwood
Hooley	Moore (KS)	Shimkus
Hoyer	Moran (VA)	Skelton
Inglis (SC)	Murphy	Slaughter
Inslee	Murtha	Smith (NJ)
Israel	Musgrave	Smith (TX)
Issa	Nadler	Smith (WA)
Istook	Napolitano	Snyder
Jackson (IL)	Neal (MA)	Solis
Jackson-Lee	Neugebauer	Spratt
(TX)	Ney	Stark
Jefferson	Norwood	Tanner
Jindal	Nunes	Tauscher
Johnson (IL)	Nussle	Taylor (MS)
Johnson, E. B.	Oberstar	Taylor (NC)
Jones (OH)	Oliver	Terry
Kanjorski	Osborne	Thomas
Keller	Owens	Thompson (CA)
Kelly	Oxley	Thompson (MS)
Kennedy (MN)	Pallone	Thornberry
Kennedy (RI)	Pascarell	Tiberi
Kilpatrick (MI)	Pastor	Tierney
Kolbe	Payne	Towns
Kucinich	Pelosi	Udall (CO)
Kuhl (NY)	Pence	Udall (NM)
Langevin	Peterson (MN)	Van Hollen
Lantos	Peterson (PA)	Velázquez
Larsen (WA)	Pickering	Visclosky
Larson (CT)	Poe	Wasserman
Latham	Pombo	Schultz
LaTourette	Pomeroy	Waters
Leach	Porter	Watson
Lee	Price (GA)	Watt
Lewis (GA)	Price (NC)	Waxman
Linder	Pryce (OH)	Weiner
Lipinski	Putnam	Weldon (PA)
LoBiondo	Rahall	Westmoreland
Lofgren, Zoe	Ramstad	Wexler
Lowe	Rangel	Wicker
Lungren, Daniel	Reichert	Wilson (NM)
E.	Reyes	Wilson (SC)
Mack	Ross	Woolsey
Maloney	Rothman	Wu
Markey	Roybal-Allard	Wynn
Marshall	Royce	
Matheson	Ruppersberger	

## NOT VOTING—8

Abercrombie	Evans	Ortiz
Cannon	Johnson, Sam	Strickland
Carson	Lewis (CA)	

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1657

Mr. CONYERS and Mr. BURTON of Indiana changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. BONNER, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4973) to restore

the financial solvency of the national flood insurance program, and for other purposes, pursuant to House Resolution 891, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OXLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 416, nays 4, not voting 12, as follows:

[Roll No. 325]

YEAS—416

Ackerman	Cantor	Emerson
Aderholt	Capito	Engel
Akin	Capps	English (PA)
Alexander	Capuano	Eshoo
Allen	Cardin	Etheridge
Andrews	Cardoza	Everett
Baca	Carnahan	Farr
Bachus	Carter	Fattah
Baird	Case	Feeney
Baker	Castle	Ferguson
Baldwin	Chabot	Filner
Barrett (SC)	Chandler	Fitzpatrick (PA)
Barrow	Chocola	Flake
Bartlett (MD)	Clay	Foley
Barton (TX)	Cleaver	Forbes
Bass	Clyburn	Ford
Bean	Coble	Fortenberry
Beauprez	Cole (OK)	Fossella
Becerra	Conaway	Fox
Berkley	Conyers	Frank (MA)
Berman	Cooper	Franks (AZ)
Berry	Costa	Frelinghuysen
Biggert	Costello	Galleghy
Bilbray	Cramer	Gerlach
Bilirakis	Crenshaw	Gibbons
Bishop (GA)	Crowley	Gilchrest
Bishop (NY)	Cubin	Gillmor
Bishop (UT)	Cuellar	Gingrey
Blackburn	Culberson	Gohmert
Blumenauer	Cummings	Gonzalez
Blunt	Davis (AL)	Goode
Boehlert	Davis (CA)	Goodlatte
Boehner	Davis (FL)	Gordon
Bonilla	Davis (IL)	Granger
Bonner	Davis (KY)	Graves
Bono	Davis (TN)	Green (WI)
Boozman	Davis, Jo Ann	Green, Al
Boren	Davis, Tom	Green, Gene
Boswell	Deal (GA)	Grijalva
Boucher	DeFazio	Gutierrez
Boustany	DeGette	Gutknecht
Boyd	Delahunt	Hall
Bradley (NH)	DeLauro	Harman
Brady (PA)	Dent	Harris
Brady (TX)	Diaz-Balart, L.	Hart
Brown (OH)	Diaz-Balart, M.	Hastings (FL)
Brown (SC)	Dicks	Hastings (WA)
Brown, Corrine	Dingell	Hayes
Brown-Waite,	Doggett	Hayworth
Ginny	Doolittle	Hefley
Burgess	Doyle	Hensarling
Burton (IN)	Drake	Herger
Butterfield	Dreier	Hersteth
Buyer	Duncan	Hinchey
Calvert	Edwards	Hinojosa
Camp (MI)	Ehlers	Hobson
Campbell (CA)	Emanuel	Hoekstra

Holden	Meehan	Salazar
Holt	Meek (FL)	Sánchez, Linda
Honda	Meeks (NY)	T.
Hooley	Melancon	Sánchez, Loretta
Hostettler	Mica	Sanders
Hoyer	Michaud	Saxton
Hulshof	Millender-	Schakowsky
Hunter	McDonald	Schiff
Hyde	Miller (FL)	Schmidt
Inslee	Miller (MI)	Schwartz (PA)
Israel	Miller (NC)	Schwarz (MI)
Issa	Miller, Gary	Scott (GA)
Istook	Miller, George	Scott (VA)
Jackson (IL)	Mollohan	Sensenbrenner
Jackson-Lee	Moore (KS)	Serrano
(TX)	Moore (WI)	Sessions
Jefferson	Moran (KS)	Shadegg
Jenkins	Moran (VA)	Shaw
Jindal	Murphy	Shays
Johnson (CT)	Murtha	Sherman
Johnson (IL)	Musgrave	Sherwood
Johnson, E. B.	Myrick	Shimkus
Jones (NC)	Nadler	Simmons
Jones (OH)	Napolitano	Simpson
Kanjorski	Neal (MA)	Skelton
Kaptur	Neugebauer	Slaughter
Keller	Ney	Smith (NJ)
Kelly	Northup	Smith (TX)
Kennedy (MN)	Norwood	Smith (WA)
Kennedy (RI)	Nunes	Snyder
Kildee	Nussle	Sodrel
Kilpatrick (MI)	Oberstar	Solis
Kind	Obey	Souder
King (IA)	Oliver	Spratt
Kingston	Osborne	Stark
Kirk	Otter	Stearns
Kline	Owens	Stupak
Knollenberg	Oxley	Sullivan
Kolbe	Pallone	Sweeney
Kucinich	Pascarell	Tanner
Kuhl (NY)	Pastor	Tauscher
LaHood	Paul	Taylor (MS)
Langevin	Payne	Taylor (NC)
Lantos	Pearce	Terry
Larsen (WA)	Pelosi	Thomas
Larson (CT)	Pence	Thompson (CA)
Latham	Peterson (MN)	Thompson (MS)
LaTourette	Peterson (PA)	Thornberry
Leach	Petri	Tiahrt
Lee	Pickering	Tiberi
Levin	Pitts	Tierney
Lewis (CA)	Platts	Towns
Lewis (GA)	Poe	Turner
Lewis (KY)	Pombo	Udall (CO)
Linder	Pomeroy	Udall (NM)
Lipinski	Porter	Upton
LoBiondo	Price (GA)	Van Hollen
Lofgren, Zoe	Price (NC)	Velázquez
Lowe	Pryce (OH)	Visclosky
Lungren, Daniel	Putnam	Walden (OR)
E.	Radanovich	Walsh
Mack	Rahall	Wamp
Maloney	Ramstad	Wasserman
Markey	Rangel	Wasserman
Marshall	Regula	Schultz
Matheson	Rehberg	Waters
	Reichert	Watson
	Renzi	Watt
	Reyes	Waxman
	Reynolds	Weiner
	Rogers (AL)	Weldon (FL)
	Rogers (KY)	Weldon (PA)
	Rogers (MI)	Weller
	Ros-Lehtinen	Westmoreland
	Ross	Wexler
	Rothman	Wicker
	Roybal-Allard	Wilson (NM)
	Royce	Wilson (SC)
	Ruppersberger	Wolf
	Rush	Woolsey
	Ryan (OH)	Wu
	Ryan (WI)	Wynn
	Ryun (KS)	Young (AK)
	Sabo	Young (FL)

## NAYS—4

Higgins	Rohrabacher
Inglis (SC)	Tancredo

## NOT VOTING—12

Abercrombie	Garrett (NJ)	Ortiz
Cannon	Johnson, Sam	Shuster
Carson	King (NY)	Strickland
Evans	Markey	Whitfield

□ 1719

Mr. FLAKE changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4973, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2006

Mr. NEY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4973, the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 5672, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 5672 pursuant to House Resolution 890, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5672, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 890 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5672.

□ 1720

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and

Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. WOLF) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I yield myself 11 minutes.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I am pleased to begin consideration of H.R. 5672, making appropriations for fiscal year 2007 for Science, the Departments of State, Justice, Commerce, and related agencies. This bill provides a funding for programs whose impact ranges from the safety of people in their homes and communities to the conduct of diplomacy around the world and to the farthest reaches of space exploration.

The bill before the House today reflects the delicate balancing of needs and requirements. We have drafted what I consider a responsible bill for fiscal year 2007 spending levels for the Departments and agencies under the subcommittee's jurisdiction. We have carefully prioritized the funding in the bill and made hard choices about how to spend the scarce resources.

We have been very fair. We, the entire Committee, have been very fair with each and every Member that has approached the subcommittee as we went through this entire process.

I want to thank Chairman LEWIS for supporting us with what I believe is a fair allocation and helping us to move the bill forward. I also want to thank the ranking member, Mr. MOLLOHAN, who has been a very effective and valued partner and colleague on the bill. I appreciate his principled commitment and understanding of the programs in the bill.

I also want to thank members of the subcommittee for their help and assistance: CHARLES TAYLOR, MARK KIRK, DAVE WELDON, Tom DeLay, VIRGIL GOODE, JOHN CULBERSON, RODNEY ALEXANDER, JOSÉ SERRANO, BUD CRAMER, PATRICK KENNEDY, CHAKA FATTAH, and also Mr. OBEY, the ranking member of the full committee.

I truly appreciate the professionalism and cooperation of the minority staff. In particular, I want to thank David Pomerantz, Michelle Burkett, Sally Moorhead, Julie Aaronson and Rob Nabors from the Democratic staff, who have been an enormous help during all the long hours spent putting this bill together.

I also, Mr. Chairman, want to thank the members of the subcommittee staff on both sides for their long hours to produce the fiscal year 2007 Science,

State, Justice, Commerce bill. I would like to particularly thank Mike Ringler, the clerk of the subcommittee, who has done an outstanding job and really spent hours and hours away from his family, as have the others, and who has led the subcommittee through the House appropriations process.

I also want to thank publicly and personally Christine Kojac, John Martens, Anne Marie Goldsmith, Clelia Alvarado, and Darryl Hill for their tireless efforts. Their work is very much appreciated. Only a handful of us know how much time and effort they have put in, but I want to thank them. And the record ought to show, frankly, when history looks back, who gets credit for a lot of what has taken place.

In my personal office, I would like to thank Dan Scandling, Janet Shaffron, J.T. Griffin, Samantha Stockman, and Courtney Schlieter for their efforts in working with the subcommittee; and from the minority, if I left out anybody, I mentioned, I think, Dave Pomerantz, Michelle Burkett, and Julie Aaronson, but also Rob Nabors for their efforts with regard to this.

We have worked in a bipartisan manner. And that is just not rhetoric for the CONGRESSIONAL RECORD, but it has truly been a bipartisan effort in putting the bill together. And as a former staff member up here on Capitol Hill, I personally want to thank each and every one of them. They have really done an outstanding job.

The bill contains \$59.8 billion in discretionary spending. At a time of fiscal constraint, we have developed a bill that preserves critical domestic and international programs while living within our allocations. We have had to make some difficult choices and focus limited resources on programs that are most critical to the Nation. Program increases are focused on the most critical areas, including science and competitiveness, counterterrorism, and law enforcement.

For the Department of Justice, the bill includes \$22.1 billion, \$1 billion above the request. The bill includes a total of \$2.57 billion for proven State and local law enforcement crime-fighting programs to keep our communities safe.

We have restored, and I stress the word "restored," \$1.1 billion above the request to the highest priority programs, including SCAAP, justice assistance grants, and juvenile justice programs, all which the Administration proposed to eliminate or dramatically reduce. That is \$1.1 billion with a "B."

The bill also includes important new investments to fight the national epidemic of methamphetamine abuse; \$367 million for justice assistance grants to support local drug task forces, a \$50 million increase; \$99 million in grants to combat meth, a \$36 million increase; and \$40 million for drug courts, a \$30 million increase, which is a 300 percent increase in drug courts; and a \$15 million increase for DEA to support State